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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,896	06/27/2003	Gordon Bruce Scarth	TR-161-US	6588
36630	7590	08/22/2007	EXAMINER	
VICTORIA DONNELLY			OSMAN, RAMY M	
PO BOX 24001				
HAZELDEAN RPO			ART UNIT	PAPER NUMBER
KANATA, ON K2M 2C3			2157	
CANADA			MAIL DATE	DELIVERY MODE
			08/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No.		Applicant(s)	
	10/606,896		SCARTH, GORDON BRUCE	
	Examiner		Art Unit	
	Ramy M. Osman		2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is responsive to application filed on June 25, 2007, where applicant amended claims 1,8,9. Claims 1-13 are pending.

Drawings

2. The drawings filed on 6/27/2003 are objected to after further review. Figure 3a, reference #46 is missing a label.

Response to Arguments

3. Applicant's arguments filed 6/25/2007 have been fully considered but they are not persuasive.
4. Applicant argues that Vittal does not teach claim 1.

In reply, Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Furthermore, Applicants amendments to claim 1 are rejected as presented below.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-13 rejected under 35 U.S.C. 102(e) as being anticipated by Vittal (US Patent No 6,810,496).

7. In reference to claim 1, Vittal teaches a method for describing a problem in a network, comprising:

selecting a subset of alarms associated with a service, said service having a unique identifier and being carried by a path in the network, said path having a forward direction from the beginning of the path to the end of the path, and a return direction from the end of the path to the beginning of the path, said network including a number of network entities, the subset of alarms being selected from a list of alarms in the network (Figure 15 ref #1520 and column 6 lines 1-17);

grouping the selected subset of alarms in a number of groups, each group being associated with a network entity (Figure 15 ref #1510 & #1530);

arranging the groups of alarms according to a sequence they appear in a traversal of one of the forward direction and return direction of the path of the service in the network (Figure 15 ref #1530);

and

transforming each alarm in each group of the selected subset of alarms into a problem description for the service (Figure 15 ref #1531, #1534, #1536 & #1537).

8. In reference to claim 2, Vittal teaches a method as described in claim 1, further comprising the step of providing a corrective procedure for one of the some and all alarms from the groups of the selected subset of alarms (column 6 lines 60-67).

9. In reference to claim 3, Vittal teaches a method as described in claim 1, wherein the network entities carrying the service comprise one or more of the following physical location types: a node, a bay, a quadrant, a slot, a card and a port (column 3 lines 35-55).

10. In reference to claim 4, Vittal teaches a method as described in claim 1, wherein the step of grouping the selected subset of alarms comprises grouping the selected subset of alarms by one of the network entities carrying the service (column 12 line 54 – column 13 line 15).

11. In reference to claim 5, Vittal teaches a method as described in claim 1, wherein the step of grouping the selected subset of alarms comprises grouping the selected subset of alarms by one or more of the network entities carrying the service (column 12 line 54 – column 13 line 15).

12. In reference to claim 6, Vittal teaches a method as described in claim 1, wherein the step of transforming each alarm further comprises the step of forming one or more templates, a template including text substitution markers (column 6 lines 19-27 & 60-67).

13. In reference to claim 7, Vittal teaches a method as described in claim 6, wherein the text substitution markers correspond to network entities (column 6 lines 19-27 & 60-67).

14. In reference to claim 8, Vittal teaches a method as described in claim 1, wherein the step of arranging the groups of alarms comprises arranging the groups of alarms in the forward direction of the path (column 12 line 64 – column 13 line 10).

15. In reference to claim 9, Vittal teaches a method as described in claim 1, wherein the step of arranging the groups of alarms comprises arranging the groups of alarms in the return direction of the path (column 12 line 64 – column 13 line 10).

16. In reference to claim 10, Vittal teaches a method as described in claim 1, wherein the type of problem comprises one or more of the following types of problems: a missing channel

identification alarm; an unexpected channel identification alarm; a loss of signal alarm; and a channel power out of range alarm (column 9 lines 1-10 & 59-65).

17. In reference to claim 11, Vittal teaches a method as described in claim 1, wherein the description is a verbal description (column 9 lines 1-10 & 59-65).

18. In reference to claim 12, Vittal teaches a method as described in claim 11, wherein the description is an English description (column 9 lines 1-10 & 59-65).

19. In reference to claim 13, Vittal teaches a method as described in claim 1, wherein the description is a pictorial description (column 12 lines 56-60).

Conclusion

20. Applicant is advised that the above specified citations of the relied upon prior art are only representative of the teachings of the prior art, and that any other supportive sections within the entirety of the reference (including any figures, incorporation by references, claims and priority documents) is implied as being applied to teach the scope of the claims.

21. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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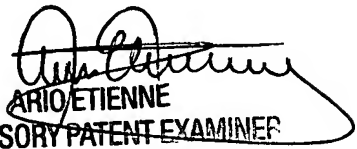
however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RMO
August 14, 2007


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER